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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Siegall *et al.*

Serial No.: 09/328,296

Filed: June 8, 1999

Examiner: D. Nikodem

Group Art Unit: 1633

For: RECOMBINANT ANTI-CD40 ANTIBODY AND
USES THEREOF

Attorney Docket No.: 9632-005

PROVISIONAL ELECTION UNDER 37 C.F.R. § 1.143Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the outstanding Office Action dated May 2, 2000, in which the Examiner imposed a restriction requirement, please consider the following remarks. Submitted herewith is a Petition Under 37 C.F.R. § 1.136(a) for an Extension of Time to Respond for two months up to and including August 1, 2000, plus the necessary fee.

REMARKS

The Examiner has required an election under 35 U.S.C. § 121 of one of the following inventions:

- I. Claims 1-9 and 34, drawn to antibodies, protein fragments of antibodies and fusion proteins of antibodies, classified in class 530, subclasses 387.1, 387.3, 387.7 and 387.9.
- II. Claims 10-20, drawn to the nucleic acids, host cells and methods to produce proteins, classified in class 536, subclasses 23.1, 23.53 and 24.33, and class 435, subclasses 69.1, 320.1, and 325.
- III. Claims 21-25 and 36, drawn to pharmaceutical compositions, classified in class 514, subclasses 2 and 4.
- IV. Claims 26, 27, 32, 33 and 37, drawn to methods for the treatment or prevention of cancer, classified in class 435, subclasses 326, 328 and 330 and in class 514, subclass 2.